

Inasmuch as no objection is pending at this time, the stay is lifted.

SEP - 8 2008

CLERK'S OFFICE  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

AUG 21 2008

FILED  
CLERK'S OFFICE

UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION

IN RE: DIGITEK PRODUCTS LIABILITY LITIGATION

MDL No. 1968

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-1)

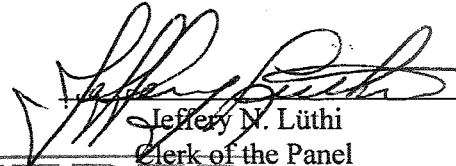
On August 13, 2008, the Panel transferred eight civil actions to the United States District Court for the Southern District of West Virginia for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See*   F.Supp.2d  (J.P.M.L. 2008). With the consent of that court, all such actions have been assigned to the Honorable Joseph R. Goodwin.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Southern District of West Virginia and assigned to Judge Goodwin.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Southern District of West Virginia for the reasons stated in the order of August 13, 2008, and, with the consent of that court, assigned to the Honorable Joseph R. Goodwin.

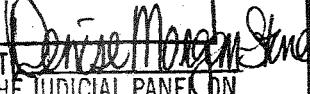
This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Southern District of West Virginia. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

  
Jeffery N. Lüthi  
Clerk of the Panel

A CERTIFIED TRUE COPY

SEP - 8 2008

ATTEST:   
FOR THE JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

ENTERED

SEP - 8 2008

TERESA L. DEPPNER, CLERK  
U.S. District Court

Southern District of West Virginia

IN RE: DIGITEK PRODUCTS LIABILITY LITIGATION

MDL No. 1968

## SCHEDULE CTO-1 - TAG-ALONG ACTIONS

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
ALABAMA MIDDLE ALM 2 08-616	Doris Hughes v. Actavis Totowa, LLC, et al.
ALABAMA NORTHERN ALN 2 08-1271	Bobbie Dyal, et al. v. Actavis Group hf, et al.
CALIFORNIA CENTRAL CAC 5 08-892 CAC 5 08-893 CAC 8 08-676	Richard Platzner, et al. v. Actavis Group hf, et al. Shannon Darby v. Actavis Group hf, et al. Richard Spangle v. Actavis Group hf, et al.
CALIFORNIA EASTERN CAE 2 08-1670	Patricia J. Harmon v. Actavis Totowa, LLC, et al.
CALIFORNIA NORTHERN CAN 3 08-3173	Dephlia Davis, et al. v. Actavis Group hf, et al.
CALIFORNIA SOUTHERN CAS 3 08-980	Frank Grady, et al. v. Actavis Totowa, LLC, et al.
INDIANA SOUTHERN INS 1 08-910	Jerry J. Losh v. Actavis Totowa, LLC, et al.
KANSAS KS 6 08-1145	Peter J. Konek v. Actavis, Inc., et al.
LOUISIANA EASTERN LAE 2 08-3699 LAE 2 08-4029 LAE 2 08-4088	Joseph L. Barrow, et al. v. Actavis Group hf, et al. James E. Freeman, et al. v. Actavis Group hf, et al. J. Kenneth Jewel v. Actavis Group hf, et al.
LOUISIANA MIDDLE LAM 3 08-310	David Longmire, et al. v. Actavis Group hf, et al.
LOUISIANA WESTERN LAW 5 08-880	Florence Pierce, et al. v. Actavis Group hf, et al.
MICHIGAN EASTERN MIE 2 08-12898	Anthony Harris, et al. v. Actavis Totowa, LLC, et al.

**MDL No. 1968 - Schedule CTO-1 Tag-Along Actions (Continued)**

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
NEBRASKA NE 8 08-326	Karen Sheahan, et al. v. Actavis Totowa, LLC, et al.
NEW JERSEY NJ 2 08-2943 NJ 2 08-2960 NJ 2 08-2976 NJ 2 08-3325 NJ 2 08-3348 NJ 2 08-3349 NJ 2 08-3350 NJ 2 08-3351 NJ 2 08-3352 NJ 2 08-3449 NJ 2 08-3473	Marion Roy, etc. v. Actavis Group hf, et al. Joyce A. Hergert, etc. v. Actavis Group hf, et al. Michael Pasken, et al. v. Actavis Group hf, et al. Jerry Bratcher, et al. v. Actavis Group hf, et al. Dona E. Bellamy, et al. v. Actavis Group hf, et al. Bertina E. Hoover, et al. v. Actavis Group hf, et al. Arika Elizabeth Morrow, etc. v. Actavis Totowa, LLC, et al. Phillip Mariam, et al. v. Actavis Group hf, et al. Jeanette Mcanly v. Actavis Group hf, et al. Ernestine Moore v. Actavis Group hf, et al. Marlene Lydia Bradaway, et al. v. Actavis Group hf, et al.
OHIO SOUTHERN OHS 3 08-276	Sandra J. Marcum, etc. v. Actavis Group hf, et al.
PENNSYLVANIA EASTERN PAE 2 08-2506	John Tucker, et al. v. Actavis Group hf, et al.
TENNESSEE EASTERN TNE 1 08-134 TNE 1 08-179	Delores J. Keith, etc. v. Actavis Totowa, LLC, et al. Benny Shope, etc. v. Actavis Totowa, LLC, et al.
TEXAS SOUTHERN TXS 4 08-1995	Jennifer McCorquodale, etc. v. Actavis Group hf, et al.
WEST VIRGINIA NORTHERN WVN 1 08-146 WVN 1 08-147 WVN 1 08-148 WVN 1 08-149 WVN 1 08-150 WVN 1 08-151 WVN 1 08-152 WVN 1 08-153 WVN 1 08-154 WVN 1 08-155 WVN 1 08-156 WVN 1 08-157 WVN 1 08-158 WVN 1 08-159	Robert Bey, et al. v. Mylan Pharmaceuticals, Inc., et al. Dorothy Boullion v. Mylan Pharmaceuticals, Inc., et al. Julie Carello v. Mylan Pharmaceuticals, Inc., et al. Janetta Clark v. Mylan Pharmaceuticals, Inc., et al. Robert Hemberger v. Mylan Pharmaceuticals, Inc., et al. Vincent Maddi v. Mylan Pharmaceuticals, Inc., et al. Thomas Murkowski v. Mylan Pharmaceuticals, Inc., et al. Ray Murphy v. Mylan Pharmaceuticals, Inc., et al. Roberta Sener v. Mylan Pharmaceuticals, Inc., et al. Errol Simpson v. Mylan Pharmaceuticals, Inc., et al. Ronald Wooten v. Mylan Pharmaceuticals, Inc., et al. Alan Zacek v. Mylan Pharmaceuticals, Inc., et al. Edmond Kazzi v. Mylan Pharmaceuticals, Inc., et al. Andrew Porter v. Mylan Pharmaceuticals, Inc., et al.

**IN RE: DIGITEK PRODUCTS LIABILITY LITIGATION**

MDL No. 1968

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**IN RE: DIGITEK PRODUCTS LIABILITY LITIGATION**

MDL No. 1968

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**MDL No. 1968 - Involved Judges List (CTO-1) (Continued)**

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**IN RE: DIGITEK PRODUCTS LIABILITY LITIGATION**

MDL No. 1968

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**MDL No. 1968 - Involved Clerks List (CTO-1) (Continued)**

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UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION

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Western District of Kentucky

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Judge J. Frederick Motz  
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Judge Robert L. Miller, Jr.  
United States District Court  
Northern District of Indiana

Judge Kathryn H. Vratil  
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September 8, 2008

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Re: MDL No. 1968 -- IN RE: Digitek Products Liability Litigation

(See Attached CTO-1)

Dear Ms. Deppner:

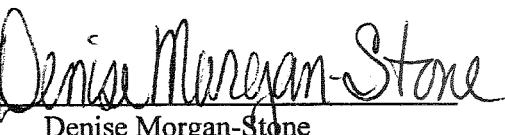
I am enclosing a certified copy and one additional copy of a conditional transfer order filed by the Panel in the above-captioned matter on August 21, 2008. As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred."

A list of involved counsel is attached.

Very truly,

Jeffery N. Lüthi  
Clerk of the Panel

By   
Denise Morgan-Stone  
Deputy Clerk

Attachment

cc: Transferee Judge: Judge Joseph R. Goodwin  
Transferor Judges: (See Attached List of Judges)  
Transferor Clerks: (See Attached List of Clerks)